

(2023) 01 OHC CK 0083
In the Orissa High Court
Case No : Writ Petition (C) No.17292 Of 2022

M/s. SR Distillery Pvt. Ltd., Cuttack And Another APPELLANT
Vs
Deputy General Manager, Punjab National Bank, Circle Office, RESPONDENT
Master Canteen Road, Bhubaneswar, Districtkhurda And
Another

Date of Decision : 17-01-2023

Acts Referred:

Citation : (2023) 01 OHC CK 0083

Hon'ble Judges : Jaswant Singh J;M. S. Sahoo, J

Bench : Division Bench

Advocate : Sushree Swagatika Biswal, S. N. Biswal, A. K. Biswal

Final Decision : Dismissed

Judgement

1. The petitioner is a defaulting borrower and has challenged the Sale Notice dated 07.06.2022 issued by the Punjab National Bank, Bhubaneswar/Opposite Party No.1 fixing the auction sale of the two mortgaged properties on 29th June, 2022 for recovery of an outstanding liability of Rs.78,51,36,138.53/-plus unapplied interest, expenses etc.

2. Mr. Biswal, learned counsel for the Bank states that the auction of the mortgaged properties stands successfully conducted on 27th July, 2022 and upon deposit of the entire sale price of Rs.21.10 Crores, the Sale Certificate of the secured assets stands issued in favour of the auction purchaser M/s. Avira Distillery Pvt. Ltd. rendering the present Writ Petition as infructuous.

3. At this stage, learned proxy counsel appearing on behalf of the petitioner files a memo dated 17.01.2023 in Court today (taken on record) praying for permission to withdraw the present Writ Petition to enable the petitioner to seek his available remedies before the DRT in accordance with law.

4. In view of the above, the present Writ Petition stands dismissed as withdrawn with the aforesaid liberty.

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